

Amendatory Ordinance 4-0524

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Paul Leigh;

For land in the W ½ of the NE ¼ of Section 34, Town 5N, Range 1E in the Town of Mifflin affecting tax parcels 016-0550 and 016-0552,

And, this petition is made to zone 5.256 acres from A-1 Agricultural to AR-1 Agricultural Residential with 40 acres having the AC-1 Agricultural Conservancy overlay district.

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Mifflin,**

Whereas a public hearing, designated as zoning hearing number **3418** was last held on **May 8, 2024** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

Now therefore be it resolved that the official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was X approved as recommended approved with amendment denied as recommended denied or rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **May 21, 2024**. The effective date of this ordinance shall be **May 21, 2024**.



Kristy K. Spurley
Iowa County Clerk

Date: 5-21-2024



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing held on May 8, 2024

Zoning Hearing 3418

Recommendation: **Approval**

Applicant(s): Paul Leigh

Town of Mifflin

Site Description: W1/2-NE of S34-T5N-R1E also affecting tax parcels 016-0550; 0552

Petition Summary: This is a request to zone 5.256 acres from A-1 Ag to AR-1 Ag Res and 40 acres zoned with the AC-1 Ag Conservancy overlay district.

Comments/Recommendations

1. The existing A-1 zoning has a minimum 40-acre lot size so rezoning is required in order to legally create the proposed lot. The AC-1 overlay is required to meet the town's residential density requirement.
2. If approved, the AR-1 lot is eligible for one single-family residence, accessory uses and limited ag uses, including up to 3 animal units as defined in the Iowa County Zoning Ordinance. The AC-1 overlay allows opens space uses and prohibits any development.
3. The associated certified survey map has been submitted for formal review.
4. Per Section 11.0 of the Iowa County Zoning Ordinance, the following standards are to be considered when deciding a zoning change:
 - 1) The petition is consistent with the Iowa County Comprehensive Plan and the comprehensive plan of any Town affected by said petition.
 - 2) Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available as required by the petition while maintaining adequate levels of service to existing development.
 - 3) Provisions of public facilities to accommodate the petition will not place an unreasonable burden on the ability of affected local units of government to provide those services.
 - 4) The petition will not result in significant adverse impacts upon surrounding properties or the natural environment, including air, water, noise, stormwater management, soils, wildlife and vegetation.
 - 5) The land associated with the petition is suitable for the proposed development and said development will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas.

- 6) The petition will not be used to legitimize a nonconforming use or structure.
- 7) The petition is the minimum action necessary to accomplish the intent of the petition, and an administrative adjustment, variance, or Conditional Use Permit could not be used to achieve the same result.
- 8) The petition will not result in illegal "spot zoning" (i.e. use is inconsistent with surrounding properties and serves only a private, rather than public interest).

Town Recommendation: The Town of Mifflin is recommending approval.

Staff Recommendation: Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval.

